

Unit 2

**Special Educational Needs
and Inclusion Policy and
Guidelines for Practice**

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Special Educational Needs In Newcastle

In Newcastle the following principles have been adopted when considering the special educational needs of children and young people:

- All children and young people are of equal value and are entitled to equality of educational opportunity.
- The special educational needs of the great majority of children and young people should be identified and met in mainstream schools. All teachers should accept responsibility for teaching children and young people with special educational needs.
- Schools should have maximum access to advice, support and professional staff development to enable them to meet special educational needs within existing resources.
- The LA will seek to maintain unbroken provision which will be reviewed regularly.
- All schools should have clearly stated policies in relation to special educational needs.
- Advice and assistance to schools in the development of policy, practices and resources is of critical importance.
- Schools' policies should emphasise:
 1. The need to identify and address children and young people's special educational needs as early as possible.
 2. The support and provision available to children and young people whose special educational needs have been identified.
- Meeting children and young people's special educational needs is a partnership between parents/carers and professionals. Parents/carers should be involved from the outset in the decision making process.
- All concerned should work sensitively through the processes of identification, assessment and decision making. The views of children and young people should be sought and reflected in decisions about any special educational provision which is made to meet their needs.

- A network of co-ordinated support should be maintained and there should be close co-operation between the LA and other agencies; in particular Social Care, Health and voluntary organisations.
- Statements of Special Educational Need should set out accurately the needs of individual children and young people, and the resources used efficiently and flexibly to meet those needs.

Including Children and Young People with Special Educational Needs: Policy and Guidelines for Practice

Introduction

This document outlines the key principles underlying our approach to special educational needs and inclusion in Newcastle. This is based on a strong commitment to ensuring equal opportunities for all learners to achieve their potential, and a belief that this outline is as dependent on the attitudes and approaches of educators as on their skills and resources. For this reason we are strongly committed to the principle of inclusion.

Removing Barriers to Achievement, the government's Strategy for SEN, states:

"We want all children and young people, wherever they are educated, to have a good education that enables them to achieve to the full and provides a firm foundation for adult life. We want all pupils to have regular opportunities to learn, play and develop alongside each other, within their local community, with shared responsibility and a partnership approach to their support."

This policy is based on central government guidance and requirements including:

Excellence for all Children (1997), The Special Educational Needs Code of Practice (2002), the Disability Rights Code of Practice (2002), Every Child Matters (2003), The Children Bill (2004), Removing Barriers to Achievement – The Government's Strategy for SEN (2004).

Principles

Newcastle's SEN policy is based on the following principles taken from DfES SEN Action Plan 2004 – Removing Barriers to Achievement and Every Child Matters (2003), the government's vision for children and young people's services.

- Early Intervention
- Removing Barriers to Learning
- Raising Expectations and Achievements
- Developing Improvements in Partnerships
- Ensuring the positive contribution of parents/carers and children and young people
- Ensuring that children and young people
 - are healthy
 - stay safe
 - enjoy and achieve
 - make a positive contribution
 - achieve economic well-being

o

Valuing each child

All children and young people are entitled to equal educational opportunities, and to fulfil their potential as learners and individuals. The voice of the child should be paramount in taking decisions about their education. Diversity is welcome and contributes to the rich life of the school.

Entitlement

All children and young people should have access to a curriculum that is rich, varied and challenging, and gives maximum opportunity for educational progress and the development of each individual. Support for children and young people to access learning should be built into curriculum planning. The widening curriculum at Key Stage 4 should fully support transition and access to life long learning.

Raising Achievement

High expectations and high standards for the education of all children and young people including those with special educational needs is a right. Children and young people should be involved in challenging and achievable targets. Children and young people's confidence and achievements are strongly dependent on the attitudes, expectations and skills of teachers and others. All teachers have responsibility for the full range of abilities and learning styles. Educational outcomes should be closely monitored. Achievement at all levels and abilities will be celebrated and valued.

Inclusion

With schools we will endeavour to ensure that each child and young person has full access to the educational opportunities and life of their school. The development of effective inclusive practice will raise standards generally and benefit all children and young people and staff working in schools. Social and academic inclusion are central principles when considering the placement of any child. Our collective aim will be to maximise the proportion of children and young people whose needs are met in mainstream schools.

Inclusion is about much more than the type of placement; it is about the quality of educational experience and how children and young people are able to learn, achieve and participate in the life of the school.

Specialist provision is currently necessary for a small minority of children and young people with special educational needs. Special schools and other provision outside the mainstream system have an important role to play as part of a continuum of provision to meet a broad range of needs. Staff in our special schools have considerable skill and expertise and the LA's aim is to extend ways in which this can be shared with mainstream colleagues. In our community of schools there should be a two way partnership between mainstream and special schools to share skills, knowledge and expertise

Participation of Children and Young People

Children and young people and their education should be at the centre of partnership working. Children and young people should be enabled to participate fully in decisions about their education in playing a full role in their schools' and communities' lives.

Parents/Carers as Partners

Parents/carers have a key role to play in their child's education and development. Close partnerships between schools, parents/carers and agencies will enable parents/carers to fulfil this role. Parental participation will occur at all stages, including identification, assessment, placement and support.

Early Intervention and Support

Children and young people's special educational needs, wherever they occur, should be identified early. Support should be co-ordinated, decisive and effective so that barriers to achievement can be overcome without delay. Effective multi-agency intervention in the Early Years is of vital importance to lifelong learning: equally so as children and young people get older. Maximum use should be made of the skills, experience and knowledge of all agencies and services to focus their input on early intervention.

Working with other services

A multi-disciplinary approach with close partnerships between relevant services and agencies is essential in identifying and meeting the needs of individual children and young people. Schools, being universal services, are critical to the effective use of individual agencies.

Producing and Reviewing Statements

There are statutory processes that we all have to follow:

- Writing Advice/reports
- Reports for Annual Reviews
- Consultation with parents/carers
- Completion of statements

These have to be completed within the prescribed timescales laid out in the SEN Code of Practice. They should be produced in a manner that is both responsive to and easily understood by parents/carers and whose wishes and sensitivities should be taken into account.

The Role and Responsibilities of the LA

Policy Development

The LA will produce guidelines to schools to support them in the production and implementation of SEN and Inclusion policies reflecting the shared vision of services and agencies for SEN development in Newcastle. We will work closely with schools, parent and carer groups and other agencies. The basis of the LA's work with schools will be a quality framework for meeting special needs and inclusion based on central government guidelines and requirements.

Funding

We will ensure a fair, equitable and transparent system to distribute funding to meet the needs of children and young people. We will ensure our funding approach facilitates and encourages inclusion and effective early intervention.

Meeting the special educational needs of children and young people

To identify all Newcastle children and young people for whom the LA needs to make special arrangements for provision.

To identify the appropriate placement to meet the needs of children and young people, and to monitor provision, progress and outcomes, and where necessary direct schools accordingly.

Provision Development

To plan, develop and monitor the provision required to meet identified need and emerging trends.

To promote inclusion while maintain high quality specialist provision. The aim will be to maintain a continuum of provision to meet the continuum of need. This will include non-maintained special schools as appropriate.

Raising Standards

To provide support and leadership to schools to evaluate and improve their practice, by providing policy, training, advice and services. This will include:

- Agreeing the principles of an inclusive approach
- Agreeing performance indicators for special educational needs and inclusion across schools and services.
- Helping schools develop their own special educational needs and inclusion policies within a context of national and LA policy.
- Providing or facilitating training support to help develop the skills and confidence of staff in meeting the individual needs of children and young people.

- Facilitating partnership in collaboration between all schools, and the sharing of good practice.
- Fostering the development of multi-agency working.
- Helping schools in their role as universal providers to facilitate and co-ordinate effective multi-agency working.
- To take a lead in developing an Accessibility Policy.

Advisory and Support Services

To provide or facilitate the provision of Advisory Support Services by:

- Maintaining advisory, special needs support and educational psychology services to provide support to schools, individual children and young people, and their parents/carers.
- Working closely with other services and agencies both strategically and to meet the needs of individual children and young people.
- To foster the schools' role in securing and developing regular and reliable contacts between themselves and other agencies such as Health and Social Services.

Supporting individual children and young people

- To be an advocate of individual children and young people with special educational needs, working closely with parents/carers as partners, and schools through support services, the Parent Partnership scheme or directly.
- To observe the requirements and spirit of the Special Educational Needs Code of Practice in providing direct services to children and young people, and their parents/carers in statutory assessment processes.
- To provide or secure provision for individual children and young people with special educational needs.
- To work with other agencies to support individual children and young people with high care needs, including joint commissioning.

Ensuring accountability

To assess and provide information on the quality of our own services to children and young people and parents/carers, including:

- The effectiveness and clarity of information we supply to parents/carers
- The formal assessment process, including number of statements, time taken, and parental satisfaction with the process.
- The effectiveness and value of our support services, to schools, children and young people and parents/carers.

The quality and effectiveness of processes in schools including:

- Arrangements and policies for supporting children and young people with special educational needs in schools.
- The use of additional funding for supporting children and young people with special educational needs in schools.
- How consistently schools apply LA criteria for School Action Plus and statutory assessments.
- The progress of children and young people at School Action Plus.
- The progress of children and young people with statements in mainstream and special schools, through annual reviews.

The effectiveness of the special educational needs inclusion policy viewed through the progress and well being of children and young people with special educational needs.

The Role and Responsibilities of Schools

The responsibilities listed below apply to mainstream, specialist provision and early years settings, as appropriate.

Inclusive Curriculum

To provide a rich and varied curriculum, which meets the needs of all the school's children and young people equally. It should take into account the learning styles of all children and young people. High standards and expectations should be set for all learners and their achievements valued equally.

Policy

To produce a policy for special educational needs and inclusion which is an integral part of the school's development plan and emphasises the importance of an inclusive approach to education. It should promote a whole school approach to a continuum of need fully involving all members of the learning community. The policy should be available to parents/carers. All schools must appoint a special educational needs co-ordinator (SENCO) and identify a governor with responsibilities for SEN.

Staff development

To promote the commitment of all staff to the principles of inclusion, and the development of their skills and confidence in meeting the needs of all learners. There should be a plan for appropriate training of staff and governors.

Support for Learning

To ensure a systematic approach at school and classroom level to support a range of abilities and needs through differentiation and attention to teaching and learning styles. This will include curriculum modifications as appropriate taking full advantage of the widening curriculum at Key Stage 4. Learning support for individuals should be planned within the context of these arrangements including access to internal and public examinations.

Meeting Special Educational Needs

To implement the Special Educational Needs Code of Practice in meeting the needs of individual children and young people, including School Action, School Action Plus and Statements as necessary. Resources should be allocated to ensure the earliest possible effective intervention to support the needs of children and young people.

Children and Young People

To ensure effective Accessibility Planning so that children and young people with special educational needs and disabilities are fully involved in the life of the school. To involve children and young people, as far as possible, in decisions about their support, and provide feedback about their progress.

To support children and young people with disabilities and remove barriers to their learning and inclusion in accordance with the Disability Rights Code of Practice for schools.

Parents/Carers

To promote parents/carers active participation in their child's education.

To work closely with parents/carers as partners to meet the needs of their children. Schools should ensure parents/carers are aware of services available to them from the school, LA, and other agencies. As a matter of practice all parents/carers should be involved in the regular SEN reviews.

Roles and Responsibilities of Governing Bodies

To advocate and support the inclusion of children and young people with SEN in schools and the community.

To nominate a governor to have oversight of SEN and Inclusion.

To ensure Governors keep up to date with current developments in SEN and Inclusion. Be accountable as outlined below.

Other Agencies

To play their part in maintaining and developing regular multi-agency links. As the universal service schools have a key role in informing other agencies regarding children and young people's special needs. Schools should facilitate and co-ordinate effective multi-agency working.

Ensuring Accountability

The Governing Body of each school will:

- Report annually to parents/carers on the school's policy for special educational needs and inclusion, and its implementation.
- Nominate a governor to have oversight of SEN to ensure that all teachers and staff are aware of a child or young person's special educational needs.

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- Systematically monitor the effectiveness of the schools policy and practice for special educational needs and inclusion, including the use of delegated funding for special educational needs.

The school will:

- Provide information on the quality of inclusion.
- Provide the LA with information to show how SEN funding has been used to meet the needs of children and young people within the school.
- Provide information on progress and outcomes in order to evaluate the input of the funding.

The Role, Rights and Responsibilities of Parents/Carers

Participation

Parents/carers have a responsibility to participate in their child's education.

Attendance

To ensure their child attends school regularly.

Support for Learning

To provide their child with the support they require to gain full access to and benefit from the broad school curriculum.

Advocating for Own Child

To advocate for the child / young person.

Entitlement

To be provided with clear information allowing them to make informed choices in their child's interest. This encompasses processes in school, support services, statutory processes, Parent Partnership, disagreement resolution arrangements and the SEN Tribunal.

Supporting Special Educational Needs

To support SEN provision, by working with schools and the LA as partners, attending meetings, and fulfilling their side of agreed actions.

Guidelines for Mainstream Schools

Access and Entitlement

Each learner should have access to a curriculum of the highest possible standard, which ensures accessibility, relevance, progression, full social and academic inclusion and optimal personal development for each individual.

The above objective will require careful forward planning based on the pattern of needs anticipated in a school year on year. The broad and academic curriculum should be organized to meet the full range of abilities, aptitudes and attitudes within its normal arrangements. Emphasis should be on positive curricular developments for particular groups of learners, to promote success and pre-empt failure, reducing the number for whom reactive arrangements have to be made.

The success and progress of each learner should be valued equally, and schools are equally accountable for each child. They should seek to set objectives for, measure and report the attainments of all pupils with similar rigour, and give them similar prominence in celebrations and other events.

Success for pupils with special needs depends greatly on the attitudes and confidence of schools in ensuring they are fully included in the life of the school, knowing they are highly valued, and that the success of the school is partly reflected through their own progress.

Supporting Pupils with Special Educational Needs

Support for children and young people with special educational needs should be an extension of curricular arrangements. All teachers are teachers of special educational needs: a key role of the SENCO is to help inform these arrangements at a strategic level as well as to support teachers in respect of individual learners.

The special needs of the great majority of children and young people, whether or not they have statements, should be identified and met in mainstream schools. All teachers are responsible for teaching children and young people with special educational needs.

The education of pupils with special educational needs must be seen in terms of their access to the educational system as a whole. Access to the National Curriculum is the focus and starting point for all learning activities.

Governing Bodies

Governing bodies have a duty, with the head teacher, to decide the school's policy and approach to meeting special needs and inclusion, and to set up appropriate staffing and funding arrangements. This normally requires appointing a governor or subcommittee to oversee the school's work on special needs matters. Governors must also designate a 'responsible person' to ensure that where a pupil has special educational needs, those needs are made known to all who are likely to teach that pupil. Governors' duties are laid out in the Code of Practice.

Schools

It is important to ensure that the Special Educational Needs Co-ordinator has the status and time necessary to fulfil the responsibilities of the post. At secondary school this should include the role of advising departments on curriculum differentiation or presentation to meet a range of needs.

It is the duty of schools and governing bodies to identify any pupils on their register who have special educational needs, to see that the special educational provision required is made and to ensure that all teachers are aware of the child's needs. Schools should follow the processes laid out in the Code of Practice, which include School Action, School Action Plus and request for Statutory Assessment as appropriate to the individual child. More guidance is provided on these processes elsewhere.

Pupils' special educational needs will be most effectively met if they are identified and appropriate measures taken early. Schools should involve LA support services and other agencies early, in accordance with service level agreements with these services, and expectations laid out in the Code of Practice.

Whilst specific aspects of the National Curriculum may not be appropriate for some pupils with special educational needs, and there is scope for special arrangements to be made for them, the general principles apply to all pupils and should be reflected in all special arrangements. There is growing recognition of the need to introduce a more work related curriculum for some pupils at Key Stage 4.

Parents/Carers

It is vital, and part of the requirements of the Special Educational Needs Code of Practice, for schools to work closely with parents/carers as partners. The Code says:

“Partnership with parents/carers plays a key role in promoting a culture of co-operation. This is important in enabling children and young people with special educational needs to achieve their potential.” (Sect 2.1)

and

“Parents/carers hold key information and have a critical role to play in their children and young people’s education. They have unique strengths, knowledge and experience to contribute to the shared view of children and young people’s needs and the best ways of supporting them.” (Sect 2.2)

Where a pupil with special educational needs is looked after by the Local Authority, arrangements for collaboration and joint planning must be made with carers and Social Services in accordance with the Code of Practice.

Children and Young People

It is essential that children and young people with special educational needs are fully involved, as appropriate in the decision making about meeting their own special educational needs. The Special Educational Needs Code of Practice says.

“Children and young people, who are capable of forming views, have a right to receive and make known information, to express an opinion, and to have that opinion taken into account in any matters affecting them. “ (Sect 3 Introduction)

School Policies

Each school is required to have a clearly stated policy for special educational needs and inclusion.

The formulation of the policy should involve the whole school community – teachers, parents/carers, governors, non-teaching staff and pupils. The policy should highlight and promote good practice in the school. Above all it should be a working document, used by teachers, capable of translating theory into practice, and subject to regular review and update. The school’s policy on behaviour management, discipline and codes of conduct should be consistent with its overall policy for special educational needs and inclusion.

The special educational needs policy will provide factual information and describe how the school carries out certain procedures. The policy will be informed by national and LA guidelines, and will be linked to the School Development Plan. It will include details of the following:

Setting the Scene

- Philosophy, mission statement etc

Objectives:

e.g

- To maintain the graduated process of assessment and review, as outlined in the Code of Practice
- To develop a system for the early assessment and identification of a child’s special educational needs
- To involve parents/carers and encourage their participation
- To take into account the views of the child

Special Educational Needs Coordinator (SENCO)

- Who
- Co-ordination of Special Educational Needs Provision
- Time available and what is done in the time
- Responsible person/special educational needs governor

Admission Arrangements

- The school has adopted the criteria set out in the LA's Admissions Policy (may want to expand on this). The school does not prioritise on the grounds of ability etc.

Special Educational Needs Specialism (e.g. ARCs)

Access to Facilities and Provision

- What provision there is in school – wheelchair access, toilet for disabled etc

Allocation of Resources

- Money and resources

Identification, Assessment and Review Arrangements

- The school has adopted the graduated approach of action and intervention as outlined in the Code of Practice 2002.
- Early Years Action/School Action – the class teacher will liaise with the pupil's parents/carers, the SENCO, and the pupil to plan and implement an Individual Education Plan / Individual Provision Map. These will be reviewed termly.
- Early Years Action plus/School Action plus – as above with additional involvement of external support services.
- Statutory provision – where parents/carers or schools have requested a statutory assessment and a statement of special educational needs has been issued. Statements must be reviewed every 6 months if the child is under 5 or annually if over 5. However informal reviews will need to be more frequent, according to stipulations in each statement.
- The views and wishes of both the parents/carers or carers and the child should be taken into account at all stages. They should be kept informed at all times.

Access to the Curriculum

Four strands

- Assessment, planning and review
- Grouping for teaching purposes
- Additional human resources
- Curriculum and teaching methods

The School's Policy on Access to the National Curriculum

- e.g. alternative arrangements at KS4

Pupil Participation

- The views of the child should be sought, taking into account age, maturity and capability of the child. HOW?

Inclusion

- We actively “seek to remove the barriers to learning and participation that can hinder or exclude pupils with special educational needs”
- We engender “a sense of community and belonging and encourage all involved to come together and support each other” (Inclusive Schooling DFES 2001)

The school has regard to the following guidance and legislation:

- Special Educational Needs Code of Practice
- Special Educational Needs Toolkit
- National Curriculum 2000
- Inclusive schooling Nov 2001
- Special Educational Needs and Disability Act 2001
- Disability Discrimination Code 2002

Review and Assessment Procedures

- Assessment, recording and reporting procedures
- Monitoring pupil progress
- Monitoring of resource allocation

Policy Evaluation

The school's special educational needs policy will be successful if the following criteria are met for children and young people with special educational needs:

e.g.

- Self-esteem is nurtured
- Adequate progress is made
- Pupils are fully included in the normal life of the school

The Complaints Procedure

- Initially the school will attempt to resolve a complaint about special educational needs provision at school level, within one week of the complaint having first been made. The procedure is firstly the class teacher attempts to resolve matters, then if required the SENCO and/or head teacher becomes involved.
- If the complaint is unresolved, then the person making the complaint is advised of their rights under Section 23 of the Education Reform Act, to make a complaint. The Governing Body will consider the complaint, after which, if necessary the LA will become involved.

Staff Development

- Staff experience, qualifications and plans for staff development. LA involvement, School Improvement Plan etc.

External Services

- Use made of external services and agencies, including LA services and medical, social and voluntary agencies
- Regular links established with Health and Social Services
- For pupils with special educational needs, who are looked after by the Local Authority, arrangements for collaboration with parents/carers and Social Services as required by the Code of Practice.

Partnership with Parents/Carers

- e.g. valued, encouraged, involved. Parent Partnership Officer

Links with other schools

- Feeder schools, transition, special schools, other schools to share good practice

Guidance and Procedures for Placing Pupils with Special Educational Needs Out of Chronological Age Group

Introduction

Placing pupils out of their chronological age group is occasionally practised and can lead to confusion and difficulties around respective responsibilities and funding. As responsibility for addressing special educational needs lies with the school through an appropriately differentiated curriculum, this should happen only in exceptional cases after careful consideration of the evidence. This applies to children and young people of all ages, including those transferring into school from an Early Years setting.

Rationale

The purpose of this guidance is to clarify practice in respect of pupils being educated in a group different from that of their chronological age. Phase transfer highlights particular difficulties where a receiving school may insist upon a pupil being placed in their correct year group and whilst decisions are made for significant reasons at the time there can be an impact on the pupil's educational and social life. Sometimes the fact that the decision has been made has significant impact on the pupil, their family, the host and future school.

Expectations of good practice are based upon a child's entitlement to be educated alongside their age equivalent peers.

Aims

To ensure that decisions to place pupils outside their chronological age group have a clear rationale based on the following:

- i) The pupil has exceptionally delayed intellectual skills and cannot productively engage in group learning tasks and presents teachers with major difficulties in curriculum differentiation.
- ii) Often in association with i) the pupil is very delayed emotionally and cannot make adequate relationships with their peer group, is at risk of isolation and possible bullying.
- iii) A pupil may have missed a substantial part of a year through illness or other reasons.
- iv) Reasons associated with a child's physical condition, physical frailty which appears to justify a 'less robust' environment than that found in the same age group.

v)

These reasons may be frequently linked with strong parental preferences for their child to be placed in an alternative year group.

i) and ii) of the above reasons are particularly significant at the point of phase transfer where the demands of the next phase are perceived to be too onerous for the pupil to cope with.

Whenever such a change in year group occurs there are implications for the pupil, the school, the family and the LA.

Implications

Pupils are seldom uniformly delayed in their intellectual development. If a pupil is kept down and a reduced set of general expectations are in place, then areas of strength are at risk of not receiving appropriate stimulation. Similarly, physical, emotional and social expectations are likely to be inappropriate.

Summer born children and young people present other challenges which could be that this group tend to show lower levels of achievement and maturity, this should be addressed within the class group through normal differentiation of the curriculum.

Phase transfers, SATs, GCSEs and school leaving status are achieved a year or more late. The consequences of 'making up' a year are invariably very negative for the pupil. Furthermore, they miss a statutory right; a national curriculum year programme of work.

Decisions to keep a pupil in a younger age group must be fully discussed within school, including parents/carers, the pupil and other agencies. Where consideration is being given to moving a pupil out of their chronological age group written advice should be sought from all agencies involved with the pupil. There should be an assessment by an educational psychologist and any other agencies involved. The circumstances relating to the request should address the factors outlined in this document, with appropriate information and evidence for the request to be given due consideration.

Implications for the School / LA

Making the decision to move a pupil out of year has implications for admissions when the next year is oversubscribed. This can make it difficult for a school to plan pupil numbers for the following year. This is of particular significance at KS1 since no class containing 5, 6 or 7 year olds may contain more than 30 pupils with one teacher. One pupil over 30 will necessitate the employment of an additional teacher.

The exceptions to this requirement are:

- Children and young people attending mainstream lessons who are on the roll of a special school.
- A child admitted to a class outside of the normal transfer / admission round and who has a statement of SEN naming that school. (This can be counted as an

- exception for the remainder of that academic year only, in order to allow the head teacher time to plan future provision).

Pupils placed out of chronological age are not regarded as exceptions. Pupils so placed may cause additional costs for the school in respect of additional teaching staff. They may also 'block' places for pupils due to be admitted and for whom placement may be appropriate or necessary. Uncertainties may create difficulties for 'receiving' schools at the end of key stages.

There is difficulty about the legal requirement of a Published Admission Number (PAN), which by law reflects the maximum number of pupils that can enter or transfer into a school within the relevant age range. The PAN is legally age related. If a reception year has a PAN of 30 and can only admit 29 because a pupil is held down a year in Year R, this in effect takes away the right of another pupil to have a place in that year group. The maximum class size of 30 for KS1 prevents a class of 31 being created and, in the event of a parental challenge, the requirement to fund a further teacher would become necessary.

In schools where there is a practice of moving children and young people out of age for a year or more, staff should be alert to the fact that this may reflect issues in the school around curriculum differentiation and SEN provision.

Guidelines

1. It should only be in exceptional circumstances that a pupil moves out of their chronological age group. In no instance should this be more than a single NC year. In the case of vertically grouped classes this will apply to the age range of the class rather than a single chronological age.
2. For a pupil to stay down a year, it is likely they would be the subject of a statement of SEN and would also be the subject of an Individual Education Plan / Individual Provision Map and Annual Review. The most recent review meeting should endorse any decision to move a pupil out of chronological age group.

Schools and involved professionals should satisfy themselves that the following apply:

- The pupil shows significant delay in intellectual development / educational skills across the subject areas, to an extent that curriculum differentiation is not reasonable.
- The pupil's physical maturity does not place them in a position of being developmentally different from their peer group.
- The pupil shows an equivalent delay in emotional development and social skills appropriate for a younger peer group.
- There is full parental support and agreement.
- There is pupil support and agreement following explanation and counselling at a level the pupil is able to understand.

- There are clear objectives and time scales to the change with plans in place to manage phase transfers and examinations if appropriate.
3. The pupil should not be expected to remain out of chronological age indefinitely. Any move out of the chronological age is expected to be managed within a key stage or school phase, i.e. at the **end** of a key stage, or before the pupil is due to transfer phase, the pupil should be placed within their chronological age group.